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30 January 1998
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LETTER DATED 30 JANUARY 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached letter dated 30 January 1998 which I have received from the Chairman of the International Monitoring Committee established pursuant to the mandate of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB) (see annex).

Attached to the letter is the third periodic report of the Member States participating in MISAB, as requested by the Security Council in its resolution 1136 (1997) of 6 November 1997. I should be grateful if you would bring the letter and its enclosure to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 30 January 1998 from the Chairman of the International Monitoring Committee addressed to the Secretary-General

I have the honour to transmit to you herewith the third report, covering the period from 5 January to 4 February 1998, requested by the Security Council in paragraph 7 of its resolution 1136 (1997) concerning the situation in the Central African Republic.

(Signed) Gen. Amadou Toumani TOURÉ
Chairman of the International
Monitoring Committee

Appendix

Third report to the Security Council pursuant to resolution 1136 (1997) concerning the situation in the Central African Republic

(2 February 1998)

I. INTRODUCTION

1. At its 3829th meeting, the Security Council unanimously adopted its resolution 1136 (1997), which was essentially a continuation of its earlier resolution 1125 (1997). The Council requested the Member States participating in MISAB, namely, the International Monitoring Committee to supervise the implementation of the Bangui Agreements, which represents them, to provide periodic reports to the Council at least every month through the Secretary-General.

2. This third report describes developments in the situation in the Central African Republic from 5 January to 4 February 1998.

II. POLITICAL LEADERSHIP

3. The International Monitoring Committee to supervise the implementation of the Bangui Agreements, chaired by General Amadou Toumani Touré, is the body that directs the actions of MISAB, since it receives the necessary political guidance directly from the heads of State concerned, and especially from the President of the Gabonese Republic, who is Chairman of the International Mediation Committee.

4. MISAB is under the patronage of President El Hadj Omar Bongo of the Gabonese Republic, senior head of State of the International Mediation Committee. It is under the political authority of General Touré, Chairman of the International Monitoring Committee.

III. LOGISTICAL AND TECHNICAL SUPPORT TO THE INTERNATIONAL MONITORING COMMITTEE

5. It should be noted that since its establishment by the heads of the States members of the International Mediation Committee, the International Monitoring Committee has received logistical and technical support from the United Nations Development Programme (UNDP).

IV. LOGISTICAL SUPPORT TO THE MISSION

6. As indicated in the previous reports, MISAB receives logistical support from the participating States, France and the Government of the Central African Republic. It also received support previously from the Organization of African Unity (OAU).

7. In its previous reports, the International Monitoring Committee had occasion to welcome the establishment of a Trust Fund to provide financial support for MISAB. It regrets, however, that this Fund has not received any contributions that could have provided long-term support for the Mission's activities.

V. IMPLEMENTATION OF THE BANGUI AGREEMENTS

8. The Bangui Agreements of 25 January 1997, the outcome of strenuous efforts by the Committee on Consensus-building and Dialogue, endorsed and chaired by General Amadou Toumani Touré, Chairman of the International Monitoring Committee, constitute the indispensable basis for the establishment and strengthening of peace and the achievement of national reconciliation, a necessary stage in the rehabilitation and reconstruction of the Central African Republic.

9. The implementation of these Agreements was planned in accordance with a timetable established by the International Monitoring Committee and accepted by all. This timetable is being implemented, even if the dates initially mentioned have been adjusted. It must be acknowledged that there has been a certain delay in the full implementation of certain provisions deemed important by one or another of the parties. This is due, in particular, to various incidents which have lined the perilous path of the national reconciliation process. It is worth recalling here that the 24 provisions of the Agreements were grouped under seven main headings in the timetable established by the International Monitoring Committee, namely:

(a) Formation of a government of national union;

(b) Adoption of an amnesty law covering those who committed offences in the context of the third rebellion;

(c) Disarmament;

(d) Implementation of the recommendations of the General Meeting on National Defence;

(e) Situation of former heads of State;

(f) Suspension, then abandonment of the judicial enforcement of the parliamentary audit;

(g) Organization of a national reconciliation conference.

Provisions fully implemented

10. Of these provisions, those relating to the formation of a government of national union, the adoption of an amnesty law covering offences in the context of the third rebellion and the situation of former heads of State can be regarded as fully implemented, even if the decree enforcing the above-mentioned law has yet to be promulgated.

Provisions almost fully implemented

11. Disarmament is proceeding, even if certain concerns persist as to the possible importing of military weapons. The disarmament operations in the town of Bangui took place in accordance with a methodology described in the previous reports. The results speak for themselves:

(a) Heavy weapons: 92.12 per cent;

(b) Light weapons: 56.76 per cent;

(c) Munitions of various types: 451,709 units;

(d) Explosives and detonators: 26,672 units.

12. Considering the various factors mentioned in the previous reports, it is easy to understand why the recovery of all light weapons remains an elusive goal, despite all the means and strategies employed. While some hope remains for the fruitful continuation of disarmament operations, both in Bangui and in remote areas of the country, it would be illusory to think that the recovery of light weapons will be as extensive as that of heavy weapons.

13. Reports, or rather, rumours, circulate persistently, alleging that a quantity of weapons difficult to estimate was imported into the country on various dates by figures belonging to both the presidential majority and the opposition. Despite the willingness of the International Monitoring Committee and MISAB to recover these weapons, if they exist, very few reliable signs or indications support the authenticity of these claims. None of the investigations or searches carried out in this connection have yielded any results so far. Such rumours darken the atmosphere considerably in this country, where peace is still fragile. In any event, the International Monitoring Committee and MISAB believe that the disarmament operations are not yet finished, and are continuing to devote painstaking and patient attention to them.

14. It is clear that the accounts relating to weapons recovery pertain only to arms and munitions taken from the State armories. This is why the International Monitoring Committee and MISAB have remained vigilant and have not ignored any information provided to them concerning weapons caches.

15. The provisions concerning the parliamentary audit have had varying degrees of success, and a new parliamentary procedure is being carried out on the basis of a reworked draft. It is to be hoped that this draft will not be rejected as well. The International Monitoring Committee made a modest contribution to the preparation of this draft in order to ensure that all the legitimate concerns expressed by deputies during the first reading have been taken into account. A decision is expected no later than 4 February.

Provisions being implemented

16. As to the provisions concerning the implementation of the recommendations of the General Meeting on National Defence, the Commission on the Restructuring of the Defence and Security Forces, chaired by the Minister of Defence under the supervision of the Chairman of the International Monitoring Committee, filed its report on 29 January 1998. This Commission provides the framework in which compromise solutions acceptable to all can be worked out for the main recommendations in dispute. These are the recommendations relating to the "dissolution" of the Section d'enquête, de recherche et de la documentation and the Centre national de recherche et d'investigation and those relating to the "reduction of the staff" of the Presidential Guard. As the work of the Commission on the Restructuring of the Defence and Security Forces proceeded, the idea of redefining the respective functions of the Section d'enquête, de recherche et de la documentation and of the Centre national de recherche et d'investigation to make them consistent with respect for human rights began to take precedence over outright dissolution, which the opposition continues to demand, and keeping these entities intact, as the authorities intend. In the end, the Commission on the Restructuring of the Defence and Security Forces decided on:

(a) Dissolution of the Section d'enquête, de recherche et de la documentation and assignment of its members to their original units;

(b) Dissolution of the Centre national de recherche et d'investigation;

(c) Establishment of a documentation bureau to take charge of national security;

(d) Strict implementation of Presidential Decree No. 94/87 of 9 March 1994 concerning the Presidential Guard, which conferred on the Guard functions accepted by all (excluding abuses, which were noted and deplored), and, consequently, restriction of the number of members of that unit.

A formal decision by the head of State in this matter is expected at any moment. It is likewise understood that the exercise of restructuring the defence and security forces would take into account the problem of the members of the Presidential Guard. Moreover, the project initiated by UNDP on demobilization, retraining and reintegration of the Central African armed forces, financing for which remains open to all other potential donors, has recently been launched with the arrival in Bangui on 10 January 1998 of the project head, Mr. Gonzales. This project should help the army to become more capable of operating as a truly republican army, and would thus fulfil a number of recommendations made by the General Meeting on National Defence.

17. Lastly, in the framework of implementing the provisions concerning the organization of a national reconciliation conference, many activities that were recommended during the memorable meetings of the Committee on Consensus-building and Dialogue have been scheduled by the preparatory committee and are being implemented, despite the various difficulties encountered by the organizers. In this context, thanks to logistical and financial support from UNDP, the International Monitoring Committee and the Ministry of Human Rights, National

Reconciliation and Democratic Culture have, with the support of the various ministries and technical services concerned, organized the following activities:

(a) Awareness-raising seminars in various regions of the country between 18 November 1997 and 31 January 1998;

(b) A youth meeting in Bangui on 13 and 14 January 1998;

(c) A Central African women's forum on 16 and 17 January 1998;

(d) A forum on compensation for damage caused by the rebellions, to be held on 23 and 24 January 1998.

18. A forum to assess the implementation of the Bangui Agreements and one to assess the military situation will be held during the second week of February 1998. The conclusions of these various seminars and forums will constitute an undeniable contribution, a data bank on the crisis, that will be made available to the conference participants.

19. The national reconciliation conference, initially scheduled for the period from 10 to 14 February 1998, has been postponed until the end of February (specifically, the week of 23-28 February) in order to make it possible to provide better working conditions. For the time being, the preparatory committee for the conference is tackling the final preparations, namely:

(a) Preparing various summaries which will serve as working documents for the conference;

(b) Drawing up a list of participants;

(c) Solving various logistical problems;

(d) Organizing technical aspects.

20. For various reasons, senior officials of the Groupe des onze partis politiques de l'opposition (Group of Eleven) and the four groups of affiliated trade unions decided to withdraw from the preparatory committee for the conference. This situation is not likely to galvanize the current process. For this reason, the International Monitoring Committee is now endeavouring to negotiate a modus vivendi between these opposition figures and the authorities, who have been accused by the opposition of resorting to acts contrary to the spirit of the Bangui Agreements and of not wishing to implement certain provisions of these agreements.

21. The International Monitoring Committee has spared neither time nor patience in using its good offices to smooth out the difficulties which arise almost daily. Everything proceeds as if all parties were attempting to score as many points as possible prior to the national reconciliation conference, forgetting that the conference is neither an end in itself, nor the culmination of the normalization process in a country deeply marked by two years of a multifaceted crisis, but an essential stage on the way to a lasting solution.

22. One concern about the organization of the national reconciliation conference is widely shared by various quarters, namely that a favourable climate for reconciliation should be created, with the following necessary and useful conditions:

(a) Full implementation of the various provisions of the Bangui Agreements, in other words, completion of the activities included in the timetable of the International Monitoring Committee (pursuit of disarmament operations, settlement of the question of the parliamentary audit, indication of political will to make use of the recommendations of the General Meeting on National Defence);

(b) Continuation of the necessary and useful efforts (including a stepping up of the diplomatic offensive) to find a solution to the financial situation, which remains a cause of concern;

(c) Launching of initiatives designed to find a solution to the problem of the victims of the rebellions;

(d) Reassuring indications of prospects of reconstruction, rehabilitation and economic recovery.

23. The specific provision relating to the adoption of a new electoral code, and its corollary, the creation of an independent electoral commission, is being implemented; it is known that the relevant texts have already been prepared for submission to the National Assembly for consideration and adoption. The International Monitoring Committee, faithful to its mission, is paying close attention to all these operations. It continues to do so in a spirit of neutrality and impartiality in order to achieve credible results acceptable to all.

24. Overall, there are no items on the timetable of the International Monitoring Committee that have not yet been either fully or partially implemented, even if many useless obstacles crop up frequently on the road to their implementation. With a little more political will here and a little more judgement there, the International Monitoring Committee, in cooperation with the other political and social actors in the country, will strive to create the necessary conditions for the further implementation of the Bangui Agreements.

VI. COOPERATION WITH THE CENTRAL AFRICAN AUTHORITIES AND THE VARIOUS GROUPS OF POLITICAL PARTIES

25. For several weeks, an uneasiness and a certain restlessness have been noted within various political parties belonging to both the presidential majority and the opposition. Several recent events are worth mentioning, as they seem to illustrate fairly clearly a situation in which, with the elections a few months away, the roar of ambitions is battling the impulse to settle accounts:

(a) The dismissal of Mr. Charles Massi, a member of the Mouvement de Libération du Peuple Centrafricain (MLPC), from his post as Minister of Agriculture and Livestock Farming for "misappropriation of public funds" and

other acts of embezzlement, according to the official press releases, is continuing to elicit reactions and to take on more political than judicial overtones. The International Monitoring Committee, alerted by a letter from Mr. Massi, who requested protection from MISAB, claiming that his life was in danger, took care to draw the attention of the country's authorities to the unfortunate slippage which this situation was likely to generate. The Committee refrained from commenting on or appreciating the twofold measure taken with respect to Mr. Massi, namely, dismissal and investigation, which it deems to be a matter pertaining to the sovereignty of the Central African State. Mr. Massi believes that the establishment of the Forum Démocratique pour la Modernité (FODEM), a political association which he heads, is the source of his current difficulties. It is important to emphasize here that a group of 11 deputies from various parliamentary groupings took a stand in favour of Mr. Massi on 14 January 1998 in a document denouncing what they referred to as "the harassment suffered by Mr. Charles Massi, former Minister of Agriculture and Livestock Farming". The concern of the International Monitoring Committee is and remains the preservation and strengthening of the hard-won peace.

(b) Likewise, the recent resignation of Mr. Kossi Bella, an MLPC deputy, and the resounding support which he currently enjoys in Bangui, cannot fail to raise questions for any informed observer of Central African politics. It should be stressed that Mr. Kossi Bella is a founding member of the party headed by President Patassé and that he seems to have a certain hearing within and outside the party. The current political context in the Central African Republic appears to be difficult, as it is full of unforeseen events. Greater effort on the part of the International Monitoring Committee will be required to make the Central African political class understand that the situation calls for moderation, reflection, restraint, leniency, tolerance, acceptance of the right to be different and forgiveness. All attitudes to the contrary threaten to jeopardize everything. The Committee is counting on the patriotic spirit and the good will of religious groups, women's organizations, youth associations and other elements of civil society to exorcise the demon of hatred and vengeance.

(c) The recent withdrawal of the Parti Social Démocrate (PSD), led by former Prime Minister Enoch Dérant Lakoue, from the Conseil Démocratique des Partis Politiques de l'Opposition (CODEPO) (Democratic Council of Opposition Political Parties) denotes a certain uneasiness among the various moderate opposition parties.

(d) The confirmed withdrawal of the Mouvement pour la Démocratie et le Développement (MDD), led by President David Dacko, from the Group of Eleven, and the relatively moderate positions which this party has taken on various questions, also indicate a new configuration on the Central African political chessboard with which the International Monitoring Committee must henceforth reckon in endeavouring to resolve the crisis.

26. The International Monitoring Committee met the President and head of State of the Central African Republic on several occasions in order to provide him with regular updates on the issues remaining to be resolved and questions relating to security, which has recently been undermined by a revival of the roadblock phenomenon, leading to criminal acts of extortion in some parts of the country, and a resurgence of traditional urban banditry.

27. While urban banditry is being addressed by the activities of the Central Office for the Suppression of Banditry (OCRB), the roadblock phenomenon is currently being combated only through rather modest means, including, in particular, the organization of a type of self-defence force among the populations at risk. In this connection, the International Monitoring Committee recommended to the head of State and the Central African Government that subregional cooperation with adjoining countries experiencing the same phenomenon should be organized and strengthened. The mandate conferred on MISAB does not allow it to be directly involved in the fight against insecurity of this nature, which does not appear to be directly linked to the rebellion.

28. In view of the numerous difficulties that have arisen in the context of the preparations for the national reconciliation conference, the International Monitoring Committee remains in constant contact with all the political and social actors in the country.

VII. COOPERATION WITH INTERNATIONAL ORGANIZATIONS

29. Pursuant to the Security Council's request to the Secretary-General in resolution 1136 (1997) to provide a report within three months on the implementation of that resolution, and following the stay in Bangui from 6 to 13 December 1997 of a multidisciplinary mission from the United Nations Secretariat, a political delegation headed by the personal envoy of the Secretary-General, Mr. Hédi Annabi, had an opportunity during its visit from 6 to 8 January 1998 to appreciate the evolution of the political, military, security and economic and social situation. The results of the report which the Secretary-General provided to the Security Council on this subject are eagerly awaited here in Bangui, both by the Central African authorities and political class and by the International Monitoring Committee and MISAB.

30. Everyone in Bangui (the political class, civil society, the military and foreigners) is convinced of the need for the presence after 6 February 1998 of a military and security force which would help consolidate the peace and stimulate the process of national reconciliation. Everyone recognizes that even though the elections are not an end in themselves, their smooth conduct can only help stabilize the situation.

31. Despite the excellent results obtained in agricultural production (in both cash crops and food crops), the Central African Republic, where industrial and commercial activities have clearly been in a state of paralysis for several months, is still experiencing difficulties in meeting its internal obligations (wages and salaries, pensions, scholarships, the functioning of basic social services and of the State apparatus) and its external commitments, in particular the repayment of the arrears due to the Bretton Woods institutions.

32. Moreover, the thorny problem of arrears of wages and salaries, pensions and scholarships provides a reason for the strike which is still taking place in certain sectors, such as education. The greatest concern of the Central African authorities is therefore to find the necessary resources to resolve this problem of six months' arrears of wages and salaries and several further months' of pensions and scholarships.

33. The groups of affiliated trade unions, which hitherto have demonstrated a great deal of understanding and moderation given the situation, are beginning to show signs of irritation and impatience. Representatives of the trade unions met the head of State on 23 and 28 January 1998 in order to express their grievances, and received a few words of reassurance, for lack of any immediate solutions to their problem, the sensitivity and seriousness of which are no longer in doubt.

VIII. DEPLOYMENT OF THE FORCE

34. There has been no significant change in the arrangements made since the submission of the previous report. MISAB is continuing to ensure security in all neighbourhoods of the Central African capital by occupying 20 surveillance posts and is participating in joint security patrols in conjunction with the Central African security and defence forces in all districts of Bangui.

35. Hold-ups, armed robberies and other criminal acts have diminished considerably thanks both to the progress achieved in disarmament and the constant vigilance instituted by the system of joint patrols. It is worth repeating here, however, the reference made in paragraph 26 to the return of the old form of urban banditry, which is being combated by the Central Office for the Suppression of Banditry.

CONCLUSIONS

36. The International Monitoring Committee once again stresses the necessity and usefulness of extending the implementation of Security Council resolution 1136 (1997) relating to the mandate of MISAB for a period of one to two months after 6 February 1998. This period will enable the various actors concerned to make all the arrangements necessary for the deployment of a multinational force during the post-MISAB period in order to ensure the security conditions required for the implementation of essential reforms and the organization of free, democratic, peaceful, calm and transparent elections.

37. The International Monitoring Committee hopes to continue to enjoy the logistical and technical support of UNDP in order to pursue its twofold mission of ensuring the political direction of MISAB and monitoring the implementation of the Bangui Agreements through continuing mediation until the relevant Security Council decisions have been implemented.

38. In order to avoid any slippage or any risk of a return to square one which might lead to social disruption, it is urged that all measures should be taken at the appropriate levels, including the level of the Secretary-General, to arouse a greater awareness among States, international organizations and financial institutions with a view to providing the necessary assistance to the development of the Central African Republic, as requested in paragraph 9 of resolution 1136 (1997). It is well understood that all these measures will complement the necessary efforts of the Central African authorities. Any contrary approach could jeopardize the opportunity for this country to put the crisis behind it once and for all, thus irreparably causing the failure of this

original experiment with internal settlement which the current mediation effort in the Central African Republic represents.

39. The International Monitoring Committee, as it has repeatedly affirmed, will continue to spare no effort in urging all the parties to the Central African crisis to work with wisdom and dignity for the effective implementation of the Bangui Agreements. This is the price of real and lasting peace.

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NOTE VERBALE DATED 23 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Turkey to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note of 16 October 1997 concerning sanctions imposed on Sierra Leone.

The Permanent Representative of Turkey wishes to inform you that appropriate national legal measures have been taken by the Government of Turkey in order to give effect to the provisions set out in paragraphs 5 and 6 of Security Council resolution 1132 (1997) of 8 October 1997.

98-02030 (E) 020298

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LETTER DATED 28 JANUARY 1998 FROM THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have taken note with great satisfaction of the report on the Central African Republic which the Secretary-General of the United Nations submitted to the members of the Security Council.

Mr. Kofi Annan's recommendations for a peacekeeping operation that would replace the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB) have my full agreement and meet my own concerns as set out in my letter of 8 January 1998.

From this standpoint, it would seem to me desirable to extend the current mandate of MISAB for five weeks in order to prevent any disruption between the departure of the inter-African force and the deployment of a United Nations operation.

I believe it would be appropriate, under the circumstances, for the Security Council to agree to continue its support for the conduct of the Inter-African Mission and accordingly renew the approval and authorization it gave to that operation in its resolution 1136 (1997).

I should like once again to express my gratitude for the determined and courageous action of the Security Council.

(Signed) Ange-Félix PATASSÉ

98-02036 (E) 300198 020298

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LETTER DATED 29 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 January 1998 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, in which the Minister refers to the violations of Iraq's airspace committed by the United States spy plane on the pretext of carrying out an aerial survey for the Special Commission and calls for the use of Iraqi aircraft instead of foreign aircraft in the Special Commission's work.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 28 January 1998 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

We refer to our letter dated 25 September 1997 addressed to the President of the Security Council (S/1997/747, annex) concerning the violation of Iraq's airspace by the United States U-2 spy plane on the pretext of carrying out an aerial survey for the Special Commission.

We should like to inform you that this aircraft, which is based in Saudi Arabian territory, has continued its incursions into Iraq's airspace in violation of the country's sovereignty and security. As of the end of December 1997, this aircraft had carried out 390 overflights for a total flight time of 1,716 hours and 4 minutes since its first overflight in August 1991.

The facts that have come to light since this aircraft was first brought into use, which are set forth in our aforementioned letter, and the ill repute the aircraft has acquired from its past espionage activities in various parts of the world make it incumbent upon the United Nations to re-examine the question of continuing to use an aircraft that is being employed by the United States of America in a coercive manner to violate Iraq's airspace and to spy on Iraq for purposes other than those of the Special Commission. Such policies are totally incompatible with the purposes and principles of the Charter of the United Nations as they relate to the respect for the sovereignty of all Member States and non-interference in their internal affairs.

In condemning and deprecating these unwarranted violations of our airspace, we take this opportunity to reaffirm the request that we have constantly reiterated in the 127 letters on this subject we have thus far addressed to the Secretary-General of the United Nations, namely that Iraqi aircraft should be used instead of foreign aircraft in the work of the Special Commission in order to exclude any possibility of such aircraft being for purposes prejudicial to Iraq's sovereignty and security.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 7 OF RESOLUTION 1143 (1997)

I. INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 7 of its resolution 1143 (1997) of 4 December 1997. In paragraph 6 of the resolution, the Council welcomed my intention as stated in my last report (S/1997/935, para. 90) to submit a supplementary report, and expressed its willingness, in the light of my recommendations, to find ways of improving the implementation of the humanitarian programme for Iraq and to take such action over additional resources as needed to meet the priority humanitarian requirements of the Iraqi people, as well as to consider an extension of the time-frame for the implementation of the resolution.

2. I informed the Council in my last report (ibid. 88 and 89) that, in order to assist the Council, I had directed the Office of the Iraq Programme, taking into full account the relevant resolutions of the Council and the memorandum of understanding, to review with the assistance of all concerned the priority requirements in all relevant sectors, with particular emphasis on enhancing the efficiency and adequacy of the distribution plan. In view of the urgent need to undertake a systematic review of the whole process of contracting, processing of applications and their approval, procurement and shipment and distribution of the items concerned, the Office of the Iraq Programme was also directed to formulate recommendations that identify and address concerns over processing and supply issues, in particular to devise a system that ensured that interrelated applications were clearly identified as such and brought to the attention of the Security Council Committee established by resolution 661 (1990) of 6 August 1990. I welcome the fact that the Council, in paragraph 9 of resolution 1143 (1997), requested the Committee to continue, in close coordination with the Secretary-General, to refine and clarify working procedures in order to expedite the approval process and to report to the Council no later than 30 January 1998.

3. The Office of the Iraq Programme prepared detailed terms of reference and carried out the process and programme reviews requested with the full participation of all the concerned agencies and programmes of the United Nations system, the United Nations Office of the Humanitarian Coordinator in Iraq, which acted as the focal point for coordinating the reviews in Iraq, and the

multidisciplinary observation unit in Iraq. The Government of Iraq was provided with a copy of the terms of reference for both reviews and was also requested to assist in and contribute to both reviews.

4. In carrying out the process review, the Office of the Iraq Programme took into account all views expressed or submitted in written form by members of the Security Council and its Committee, the Government of Iraq and other Member States, as well as the concerned agencies and programmes of the United Nations system. While the Government of Iraq brought to my attention as well as to the Secretariat its views and concerns regarding the procedures and practices of the Security Council Committee, it has not provided its formal response to the outcome of the programme review. Although a number of meetings were held in Baghdad between United Nations personnel and their respective technical counterparts in Iraq, the Government of Iraq stated that it was prepared to supply only information concerning the implementation of the memorandum of understanding. The Government also stated that it had "neither proposed nor discussed any new financial ceiling for the memorandum of understanding, since it was the Government's understanding that the memorandum of understanding was a temporary and exceptional measure to alleviate the suffering of the people of Iraq caused by the sanctions imposed on the country". Iraq's most pressing demand was "that paragraph 22 of Security Council resolution 687 (1991) should be implemented, since the essential requirements set forth in section C of that resolution have been met".

5. The Government of Iraq further stated that ration cards were the responsibility of the Government. While it had no objection to considering alternative points of view put forward by the United Nations agencies and programmes with regard to the nutritional value of items on the ration cards, the Government did not consider it appropriate to discuss them before it knew what increases in supplies would be available under the memorandum of understanding. The Government also stated that "the consideration of any strategy for allocations to the sectors involved [in the distribution plan,] or any additional sectors, will fall within the jurisdiction of the Government of Iraq". While the Government would "benefit from the observations, suggestions and studies" of the United Nations agencies and programmes, the final decision rested with the Government and depended on the increased supplies available under the memorandum of understanding.

6. Accordingly, the programme review was carried out without inputs formally provided by the Government of Iraq. Further, reliable statistical data on the current domestic production of foodstuff could not be established. However, it is estimated that it would be substantially below the level of production prior to 1991. Should the Council approve additional funding, all the recommendations regarding additional inputs would require detailed discussions with the Government of Iraq and local authority counterparts in order to clarify outstanding issues and to establish a clear agreement on priorities. Following this, the Government should present detailed project proposals in line with the approach and format of the proposals to be made available to the Council.

7. I should like to reiterate, as I have stated in my previous reports to the Council, the exceptional and unprecedented complexity of the humanitarian programme being carried out pursuant to Council resolution 986 (1995) of

14 April 1995 and that it should not, therefore, be confused with a development programme and the requirements of such a programme. It is a unique programme, *established by the Council as a temporary measure to provide for the* humanitarian needs of the Iraqi people, which is being implemented within the context of a sanctions regime with all its attendant political, psychological and commercial dimensions, until the fulfilment by Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991.

II. PROCESS REVIEW

8. The whole process of contracting, processing of applications, approval by the Security Council Committee, procurement and shipment, as well as the timely distribution of humanitarian supplies within Iraq, constitutes a complex, interdependent and highly time-sensitive chain of activities involving the Security Council Committee, the Government of Iraq and other Member States, the United Nations Secretariat and the agencies and programmes concerned, as well as private firms and financial institutions. In a programme of such unprecedented complexity, which is being implemented within the context of a sanctions regime, it is essential to ensure close cooperation among all concerned and coordination of the whole process in order to achieve as expeditiously as possible the humanitarian objectives of Council resolution 986 (1995).

9. While many of the reasons for the initial slow arrival of humanitarian supplies could be attributed to the start-up problems inherent in any programme as large and complex as that for Iraq, a number of continuing causes of delay have now been identified and should be addressed most urgently. Apart from the improvements necessary to the distribution plan and its annexes, the causes for delay that need to be addressed are mostly procedural and organizational, over and above the issue of the availability of financial resources.

10. The distribution plan and its annexes remain central to the entire process of delivering timely humanitarian assistance to the Iraqi people. There are two main areas for improvement with respect to the annexes of the distribution plan: timing and formatting. Firstly, with regard to the timing, there has been a pause between the extension by the Security Council of the time-frame for the implementation of the relevant paragraphs of resolution 986 (1995) and the submission of the distribution plan for approval, which affects adversely the pace of the implementation of the programme. Secondly, the contents and the formatting of the plan and its annexes should be significantly improved (see paras. 49-51 below). I believe that applications could be presented to the Security Council Committee in the order of their relative priority rather than the current practice of "first come, first served". Such an improvement would bring an overall focus and strategy to the procurement of humanitarian supplies.

11. While the executive summary of the distribution plan discusses the situation in Iraq and the annexes provide a comprehensive list of the items to be procured, the distribution plan does not address such fundamental questions as the objectives to be achieved, the target dates or those responsible for undertaking the activities concerned. The inclusion of the above additional information in the distribution plan would enable the Security Council Committee to review in particular the annexes to the distribution plan at the outset. Any

exceptions that might be stipulated by members of the Security Council Committee could thus be addressed at an early stage in the process, before the commodity concerned became time-critical.

12. In view of the considerable duplication between the successive distribution plans under phases I to III, a single, ongoing distribution plan, kept under constant review and amended as necessary would expedite the whole process, from contracting to distribution of the humanitarian supplies.

13. In addition to the improvements recommended for the formulation of the distribution plan and its annexes, additional measures must be taken in order to accelerate the entire process, in particular by eliminating a number of bottlenecks. This can best be achieved by a combination of advanced planning as early as possible, anticipation of problem areas and proposed solutions to them, improved coordination among all concerned, coupled with improved procedures, including those of the Security Council Committee, and, if necessary, enhanced resources.

14. The establishment of the Office of the Iraq Programme, effective 15 October 1997, to consolidate and manage the activities of the Secretariat pursuant to Security Council resolutions 661 (1990) and 986 (1995) and subsequent resolutions, has already brought about improved management, coordination and an overall direction to the activities undertaken by the United Nations system pursuant to the relevant resolutions of the Council, though it is recognized that further improvements are required. In the light of the findings of the process review, I have already taken a number of decisions within my purview regarding the timely processing and handling of applications, as well as related matters that require action by the Secretariat, the details of which are provided in section IV of the present report.

15. Through these actions, coupled with the decisions that may be taken by the Security Council Committee as a result of its own review of its procedures and working methods being carried out pursuant to paragraph 9 of resolution 1143 (1997), I believe that the process of approvals of applications and delivery of humanitarian supplies to the people of Iraq can be handled more expeditiously.

16. All procedures and activities regarding the implementation of the programme should be under constant review in order to resolve any difficulties faced in the implementation process. After the consideration by the Council of the present report, the process review team of the Office of the Iraq Programme will visit Iraq to review further with the Government of Iraq and the United Nations Office of the Humanitarian Coordinator in Iraq, as well as with the agencies and programmes concerned, inter alia, the effectiveness of the entire logistic support chain, with special emphasis given to food and medical supplies.

17. Concerns expressed regarding the difficulties experienced under the current banking arrangements are being addressed by the United Nations Treasurer in consultation with all concerned. Procurement by the Government of Iraq has also been affected adversely owing to the slowness of the current procedure, under which the 53 per cent account is currently being compensated by the 13 per cent account for bulk purchases of food and medicine by the Government for the

governorates of Dahuk, Erbil and Sulaymaniyah in the north. Efforts are under way to review current procedures to ensure a more expeditious manner of reimbursement to the 53 per cent account.

18. We are at present implementing all three phases of the programme concurrently. This has increased significantly the workload for the United Nations system and has thus extended activities well beyond what was originally expected to be financed by the 2.2 per cent account under different phases. Accordingly, there is a need, inter alia, to prepare a plan and to identify the resources that will be required to complete the activities whose implementation will extend beyond the duration of the programme itself.

19. A serious difficulty faced by the Secretariat as well as the agencies and programmes concerned is the unacceptable rate of turnover of personnel. We are also encountering severe difficulties in attracting as well as retaining experienced and qualified personnel. Undoubtedly, part of the problem is the short term of appointments offered owing to the duration of the mandate, as well as the relatively difficult conditions under which staff must serve in Iraq. The Office of the Iraq Programme, in consultation with all concerned, is exploring various alternatives in order to resolve the difficulties experienced.

20. With respect to the approval process by the Security Council Committee, the period covered by the second distribution plan has been more productive than the first phase. Despite this improvement, however, the rate of approval in the second half of Phase II began to fall short of available revenues, possibly because the Committee, having approved the initial large-dollar-volume food and medicine contracts, was then faced with a heavier workload of smaller-dollar-value and more "sensitive" items. Procedural adjustments in the approval process may therefore be required.

21. The timely and predictable availability of revenues is central to the overall process of delivering the maximum allowable quantity of humanitarian supplies, as quickly as possible, to the people of Iraq. An agreement to have a single, ongoing distribution plan would also help to ensure that there is no disruption in oil sales. The process review demonstrated that the decision of the Government of Iraq to forego oil sales during the first half of the second phase had an overall impact in the slow pace of contracting, approvals and deliveries well in excess of all other causes of delay, including the consideration and approval of contracts by the Security Council Committee.

III. PROGRAMME REVIEW

22. The approach of the programme review was determined by two principal considerations. Firstly, in keeping with the nature of the programme, the review sought to identify a range of measures that would provide complementary inputs to those provided in distribution plans I to III. With the exception of the food sector, where the proposed enhanced food basket is intended to replace that approved under distribution plan III, the projects proposed are to meet humanitarian requirements that hitherto have at best been addressed only partially and in many cases are being addressed for the first time. Secondly, there are several recommended projects that are specifically intended to ensure

the efficient handling, distribution and utilization of commodities provided under Security Council resolution 986 (1995). It may be recalled that in my previous report I had referred to the need to review the operating difficulties of the distribution systems, in particular those related to the food and health sectors, and the extent to which the deterioration of basic infrastructure in other sectors is undermining the value of humanitarian inputs.

23. The programme review adopted a "bottom-up" approach based on interlinked projects, in contrast to the "top-down" general allocations by sector in successive distribution plans. The latter approach identified levels of resources, which then determined procurement for the programme. Although United Nations observers report the proper utilization of most inputs, they have noted that in many sectors the underlying procurement framework of the distribution plans has not fostered an approach where humanitarian problems have been addressed by a corresponding project to target appropriate resources. Moreover, because the scale of requirements far outweighed the resources used to address them, deficiencies were tackled in a piecemeal fashion.

24. The review has attempted to improve the allocation of resources to identified requirements in two ways. It has recommended a project and activity-oriented strategy in response to identified needs. Detailed, interlinked proposals with estimated costs have been grouped together in annex II to the present report. These proposals are intended to indicate to the Council the magnitude of the requirements and a minimum level of financial resources to address the needs in an effective, targeted manner.

25. The type of infrastructure rehabilitation envisaged will necessarily entail a degree of local expenditure in terms of raw materials, labour, maintenance, training and installation costs. The United Nations expects that, as with those rehabilitation projects undertaken to date under the distribution plans, associated costs will be borne by the Government of Iraq. Nevertheless, the programme review results recommended a significantly greater scale of rehabilitation than undertaken under distribution plans I to III and the associated costs will consequently also be on a greater scale. During the review it became apparent that unless implementation costs were guaranteed at the outset, the pace at which projects could be implemented would be greatly slowed and, in some cases, projects might prove impossible to undertake at all. In the event that the requisite resources needed by individual Iraqi ministries are not forthcoming in a timely or sufficient manner, the United Nations may have to seek the agreement of the Government of Iraq for the utilization of funds from the 53 per cent account by United Nations agencies and programmes in order to facilitate the timely and efficient use of inputs under this programme. If this proves possible, it should be understood by all parties concerned that any funds allocated in this manner will be used exclusively by United Nations agencies and programmes for the purpose of providing inputs and services. All necessary safeguards will be put in place to ensure that such measures will be handled with full transparency and accountability, both to the Government of Iraq and to the Security Council Committee. With regard to the provision of international expertise needed in such projects, associated costs should be borne through contractual arrangements under the 53 per cent account. All provisional estimates for complementary implementation costs should be subject

to technical review by the Government of Iraq, in conjunction with relevant agencies and programmes of the United Nations.

26. In the course of the electricity sector programme review, it became increasingly clear that the scale of the problems, and the resources required to address them, were completely different from those which affect other sectors. Provisional estimates considered during the programme review indicated that some $870 million would be required to address immediate rehabilitation and maintenance needs for the electricity infrastructure (generation, transmission and distribution) and the total value of all projects necessary to address the sector's operating problems amounted to over $7 billion. The implementation time of many requirements extends to two years or more. Clearly, the magnitude of such requirements places them outside the framework of Security Council resolution 986 (1995). Nevertheless, electricity was defined as an appropriate area of assistance in the memorandum of understanding and there is a clear humanitarian justification. In certain cases, the provision of emergency generators to particular facilities is the most appropriate and immediate remedy to the lack of a guaranteed power supply.

27. However, I wish to bring to the Council's attention the severity of the problems afflicting the sector as a whole. At present, the maximum power-generation capacity is about 40 per cent of the original installed capacity. Load-shedding schemes have been introduced throughout the country. Because it has been necessary to operate many generating units under conditions for which they were not designed, without the recommended protection devices and safety controls, generating units have been placed at risk of sudden and total failure. Similarly, distribution systems are deteriorating. In the northern governorates of Dahuk, Erbil and Sulaymaniyah some 1,000 transformers are failing per month. The present level of funding cannot reduce this failure rate, much less replace the transformers that have already failed. Electricity supply to communities is in a dangerous state, leading to injuries and deaths. Under present conditions, the rate of deterioration will continue to increase and, with it, the threat of a complete breakdown of the network. The humanitarian consequences of such a development could potentially dwarf all other difficulties endured by the Iraqi people.

28. As a result, with the three exceptions to be implemented in the governorates of Dahuk, Erbil and Sulaymaniyah, all proposed electricity projects have been grouped separately and will be made available to the Council in an informal paper. With regard to the governorates of Dahuk, Erbil and Sulaymaniyah, the programme review has concluded that the procurement-driven approach of local authorities under distribution plans I to III needs to be replaced by a broader and technically sound management strategy. A professional evaluation is urgently needed to assess accurately the condition of the networks, with particular emphasis on safety and security, and to develop implementation strategies that fully take into account the shortages of skills in the sector. With regard to the electricity proposals for the 15 central and southern governorates, United Nations experts are of the opinion that the recommendations are realistically costed and that the projects envisaged are necessary. When sufficient data are provided, they will be able to evaluate individual proposals and their relative priority.

A. Outline of sectoral proposals for central and southern Iraq

Food/nutrition

29. As indicated in my last report (S/1997/935), the nutritional security of the Iraqi people has remained unsatisfactory, notwithstanding the implementation of resolution 986 (1995). Surveys by United Nations agencies and programmes continue to show that the nutritional situation of the Iraqi population is below internationally accepted standards. Of particular concern is the prevalence of acute malnutrition in children under five years of age. The programme review has further highlighted the complexity of the issue with regard to the most appropriate balance between food rations, special feeding programmes and enhanced food production. It has also re-emphasized that genuine nutritional security cannot depend on food alone, but, inter alia, is affected by the prevalence and extent of coexisting disease, the deterioration in water and sanitation infrastructure, dilapidated health facilities and reduced agricultural production.

30. The recommendations stemming from the programme review seek to strike a balance between an enhanced food basket, enhanced support for food production in order to provide access to a greater intake of animal protein outside the ration system and, very importantly, the need to meet the emergency requirements of the severely malnourished through targeted supplementary and therapeutic feeding programmes. In so doing, the review has attempted to recommend the most effective use of the additional resources requested.

31. The current food basket provides 2,030 kilo-calories per person per day, and 47 grams per person per day of vegetable protein. Because of delays in arrival, the full basket could only be distributed on time in August 1997 and the actual nutritional benefit has thus been less than intended. Further consideration of the nutritional requirements of the Iraqi population by United Nations nutritional experts has concluded that the target level was too low to provide the requisite nutritional security. Therefore, the nutritional target value of the basket should be increased to 2,463 kilo-calories per person per day and 63.6 grams of protein per person per day. This would represent a 21 per cent increase in energy and a 35 per cent increase in proteins, including animal protein for the first time in the implementation of resolution 986 (1995). This could be achieved through the addition to the enhanced basket of suitable items such as cheese and full-cream powdered milk for adults, as well as additional quantities of rice, pulses and vegetable oil or other products providing high-quality protein, calcium, thiamine and vitamin C. For adults, the addition of milk powder would provide protein and contribute to meeting a proportion of daily calcium recommendations, currently lacking in the basket. The World Food Programme (WFP) estimates that the importation and distribution of these two items is viable within two to three months. Despite the serious reservations of United Nations agencies and programmes about the provision of infant milk in the ration basket, the Government of Iraq has indicated in informal exchanges that it will not accept the removal of infant milk from the basket. The enhanced basket therefore retains infant formula, but adds fortified weaning cereal to complement nutritional intake after six months. It should be noted that items containing higher-quality animal proteins are

considerably more expensive than lower-quality products. Whereas the current food basket represents a per capita expenditure of $37 per person, the enhanced basket considered would represent a per capita expenditure of $60 over a six-month period. However, it must be stressed that the exact composition of the proposed basket is provisional; while the inclusion of such items as cheese and milk powder for adults will help towards achieving the identified nutritional target, other options are still being considered as cost-effective alternatives and would require the Government's approval.

32. It should be pointed out that the financial allocations proposed would not be entirely sufficient to meet the nutritional target mentioned above. It is expected, however, that the additional caloric and protein requirements can be met from resources outside the framework of resolution 986 (1995), including local production. In this context, it may be noted that the assessment mission to Iraq carried out by the Food and Agriculture Organization of the United Nations (FAO) and WFP, in June/July 1997, stated that:

> "Up to 1990, domestic food production accounted for only one third of total utilization, even in exceptionally good years, with the balance covered by imports. During this time, the estimated cost of food imports averaged around $2 billion per year, though in poor production years the import bill could rise to $3 billion. Since the oil embargo in August 1990, up to the implementation of the oil-for-food deal in December 1996, the country had to rely mainly on domestic production to meet food needs, as its capacity to import food commercially remained heavily constrained by the loss of export revenues."

33. In addition to supporting food intake through the ration basket, it is recommended that additional funds be authorized to increase the production of eggs and chickens through pilot projects designed by FAO and the Ministry of Agriculture. At present, the Ministry of Trade's rationing system does not have the capacity to distribute these commodities, so, with safeguards on pricing and geographical coverage, it is proposed to use the market as the most appropriate means of distribution. Although the start-up time for these projects is slower than direct imports, they provide a more cost-effective and practical solution to the problem of providing fresh meat to the population.

34. Notwithstanding efforts by the Government of Iraq to address some of the needs of those most at risk of malnutrition outside the context of resolution 986 (1995), all available information from United Nations agency and programme surveys indicates a continuing problem that is of very great concern indeed to the Organization. I, therefore, consider it an essential requirement that, within the overall food/nutrition strategy, needs requiring special inputs should be met in the shortest possible time and in the most transparent manner. Drawing on the work of United Nations agencies and programmes with those most at risk of malnutrition in Iraq, the programme review has identified key weaknesses in existing arrangements. The Iraqi authorities have only a limited capability as regards the early identification of malnourished children; children discharged from nutritional rehabilitation centres require supplementary feeding to ensure continued recovery; those caring for children often have little knowledge of proper nutrition practices; and the existing 1,489 community child-

care units suffer from shortages of the supplementary foodstuffs needed for moderately malnourished children.

Health

35. In the health sector, United Nations observation has established that neither the current level of stocks nor quantities in the procurement pipeline under the distribution plan are adequate. To prevent a recurrence of the shortages reported by United Nations observers on a weekly basis, a further substantial tranche of medicine and medical supplies is required. In order to enhance the effectiveness of commodities provided under distribution plans I to III, projects are proposed to improve the storage, transport and cold-chain systems.

36. In the health sector, the programme review has identified as key requirements the provision of a guaranteed power supply to hospitals and health facilities and other essential hospital services such as water supply, sanitation and waste disposal. As a result, it is proposed that hospitals be rehabilitated at the primary, secondary and tertiary levels. Without such a level of rehabilitation, the current deterioration in the hospital infrastructure is likely to continue. Furthermore, assistance provided to primary health-care units is essential to relieve pressure on the system as a whole.

37. On the grounds of both equity and the rational use of resources, these needs must be addressed in a more comprehensive and project-oriented manner than has previously been done. In this context the implementation of these projects will require, in addition to the provision and funding of labour and basic construction materials by the Government of Iraq, the provision of training, design and other consultancy services that cannot be easily managed without the provision of funds to the United Nations agencies and programmes assisting the Government of Iraq in these vital programmes.

Agriculture

38. In addition to the proposals for the enhanced production of eggs and chickens, the range and quantity of foodstuffs is to be increased by special assistance to fruit and vegetable production. A range of urgent measures are required to safeguard other key aspects of livestock production. These include the restoration of an adequate diagnostic and operational capability in the veterinary service, without which a rational, targeted response to the problems experienced in animal production cannot be undertaken. Additional resources are requested to vaccinate and treat the main animal diseases prevalent in Iraq, which in some cases constitute a threat not only to Iraq, but also to neighbouring countries and for which few or no adequate protective or remedial measures have been taken to date.

Water and sanitation

39. Urgent assistance is required over and above that provided in the distribution plans to ensure the enhanced performance of water-treatment plants and associated distribution and drainage networks. The latter will enable a substantial amount of work to be undertaken that will reduce the loss of water through leakage. Treatment chemicals for safe drinking-water will be provided in an amount sufficient for one year's supply. Water quality and control will be facilitated by the rehabilitation of an effective water-monitoring system. In respect of sanitation, an improvement is envisaged by additional inputs to sewage treatments, jetting vehicles and garbage-collection vehicles.

Education

40. Proposals include the rehabilitation of some 5,000 schools that require major work but do not require complete reconstruction. This represents nearly 50 per cent of the whole school system. Priority measures will include the provision of water and sanitation where required, as well as essential structural work to improve the teaching and learning environment in order to increase attendance. School supplies, including desks, blackboards and education kits for pupils and teachers, will be provided.

B. Programme in the governorates of Dahuk, Erbil and Sulaymaniyah

41. While initial implementation of Security Council resolution 986 (1995) in the governorates of Dahuk, Erbil and Sulaymaniyah by the United Nations and its agencies and programmes has been slow, commodities are beginning to arrive in greater volume and activities on the ground are under way in all sectors. There are early indications that the distribution of food since April 1997, coupled with the initiation of a targeted supplementary feeding programme, has begun to improve the poor nutritional status of the area's population. Since November 1997, medicines have been arriving steadily in increasing quantities, resulting in cautious optimism that continued regular deliveries will meet immediate and future needs.

42. Notwithstanding progress in these two areas, the humanitarian situation in the three northern governorates, as in the rest of Iraq, remains precarious, requiring more attention in particular to the resettlement of the internally displaced, to electricity, water and sanitation, and to agriculture. The resources available for the electricity sector, even if commodities were to arrive immediately, are insufficient to reverse the accelerating deterioration and imminent collapse of electricity generation, transmission and distribution from the Dokan and Derbendikan dams. In particular, the serious structural damage to the dam in Derbendikan requires attention. Shortages in electricity have a critical impact on virtually all other sectors, including hospitals and pumps for water and sewerage, as well as irrigation.

43. A serious health hazard exists in the major centres of Dahuk, Erbil, and Sulaymaniyah owing to the lack of proper garbage removal and inadequate water treatment. As a result, the health of the towns' residents is at risk, as well

as those living downstream. The agricultural sector, which is of vital importance for both nutrition and resettlement, continues to suffer from declining yields as a result of monoculture and lack of pesticides, fertilizers and spare parts for machinery. Only 23 out of 600 poultry farms remain in operation and food processing is far below its original capacity. Although inputs from ongoing distribution plans will assist in increasing the production of cereal crops, a further allocation is required to improve local expertise and to realize the sector's potential for redressing nutritional shortfalls in animal proteins. A serious problem of deforestation must also be reversed in order to preserve soils and to prevent silting up of hydroelectric and irrigation systems.

44. A shortage of resources also slows progress in education, demining and resettlement. A recent survey conducted by the United Nations Educational, Scientific and Cultural Organization confirmed that 80 per cent of the approximately 1,900 school buildings in the area suffer from serious structural damage. The newly begun production of school desks continues to fall well short of needs and funds for books and other instructional materials are limited. The current demining programme, which relies on hand-clearance techniques, will be capable of very limited progress in dealing with the landmines in the area, estimated at well in excess of 10 million. Finally, it could take several years at current expenditure rates to provide adequate housing and social services to the approximately 650,000 displaced persons in the region.

45. Additional resources are proposed to redress the humanitarian shortfalls in the governorates of Dahuk, Erbil and Sulaymaniyah. Among priority proposals are those which address the most urgent health needs by correcting water and sanitation deficiencies in the three urban centres and by initiating a poultry production programme to correct dietary deficiencies in animal proteins. Water and sanitation projects include new water-treatment plants in Dahuk, Erbil and Sulaymaniyah, and the provision of equipment for garbage removal and sanitary landfill. The agricultural component includes an initial investment in rehabilitating 250 small poultry farms, plus upgrading food preservation plants and providing veterinary services and agricultural training. A recurring additional expenditure is proposed for poultry feed, additional fertilizers and pesticides, and a reforestation and range-management programme.

46. Provision of adequate electricity in the governorates of Erbil and Sulaymaniyah relies in the first instance on the irrigation and power-generation dams at Dahuk and Derbendikan. A recent technical mission sponsored by the United Nations has determined that the danger of erosion and serious structural damage at Derbendikan dam must be averted. In the electricity sector, the proposed project will also permit repairs to the Dokan dam and the completion of work on the Derbendikan dam, which remains unfinished since initial construction. Once this first step has been completed, large subsequent expenditures, roughly estimated at over $625 million, may be required to refurbish generation, transmission and distribution systems and to restore production to a level sufficient to meet the needs of the area. However, a thorough strategic assessment of the existing state of the system in the area must first be completed in order to identify the options available and to replace the current "patchwork" approach with a sound, integrated and balanced plan to meet the area's minimum energy needs. This assessment, which should

begin immediately, will examine system design, operation and maintenance, protection, reliability and training. Upon completion of the strategic assessment, sufficient information will be available to design and cost an integrated set of subprojects to meet the area's essential electricity needs.

47. The project proposals include initiatives to bring implementation on the ground into line with absorptive capacity. They include the experimental introduction of a mechanical mine-clearance capacity for use in agricultural areas and the local manufacture of more prostheses. With respect to education, additional educational materials should be purchased and the earlier plan to construct an additional 150,000 school desks should now be implemented, along with the rehabilitation of an additional 500 primary and 200 secondary schools, as well as of 20 centres for disadvantaged children. Other measures include the rehabilitation of local printing presses and vehicles for social workers assisting disadvantaged children. A small sum is allocated to extend the nutrition-monitoring system from governorate to district level.

48. Every effort must be made to speed the rate at which the internally displaced are better housed and supported. To that end, proposed activities are based on an assessment of remaining construction capacity and an increased involvement by non-governmental organizations. A modest sum has also been incorporated into the shelter sector to allow a minimum level of maintenance of associated infrastructure. This is required, especially in winter, to improve both local planning and the timely delivery of humanitarian supplies and services to remote areas. Finally, the project proposals include limited additional activities for the food and nutrition and health and medicine sectors, as the major needs in these areas are being addressed on a country-wide basis.

IV. OBSERVATIONS AND RECOMMENDATIONS

A. Process review

49. I should like to reiterate that the distribution plan and its annexes remain central to the entire system of procurement, approval and distribution of humanitarian supplies. Accordingly, it is recommended that the content and presentation of the distribution plan be significantly improved by providing, inter alia, an indication of the priorities of the supplies requested as well as their interrelationships, if any, within the context of a project or activity, the required delivery dates, preferred points of entry and the targeted objectives to be achieved. Currently, the distribution plan and its annexes provide only a code for each commodity and the quantity required. The Office of the Iraq Programme as well as the agencies and programmes of the United Nations system stand ready to provide all assistance to the Government of Iraq in formulating a more informative distribution plan.

50. The additional information contained in the distribution plan will facilitate and expedite the processing of applications and the approval process by the Security Council Committee. The Committee could review the distribution plan and its annexes at the outset in order to allow members of the Committee to identify any exceptions that they may wish to stipulate or any additional

information required in order to enable the Secretariat to address the issues, in full consultation with the Government of Iraq and all others concerned.

51. In order to avoid the considerable and time-consuming efforts and difficulties experienced in the preparation of the distribution plans under phases I to III, as well as the corresponding administrative and operational difficulties arising therefrom, there should be a single, ongoing distribution plan, kept under constant review and amended as necessary.

52. As a result of the process review, I have decided to enhance the capacity of the Office of the Iraq Programme in the timely processing of applications and provision of support to the Security Council Committee. The Office should have the required and appropriate staff resources, including the necessary support of technical advisers.

53. I have also directed the Office of the Iraq Programme:

(a) Effective immediately, to process within two business days all applications received that are in compliance with the procedures of the Security Council Committee and consistent with the approved distribution plan or any amendments thereto, in anticipation of availability of funds. Once applications are approved, however, the approval letters should be released by the Secretariat only after confirmation by the Controller that sufficient funds are available;

(b) In full consultation with the Government of Iraq, the United Nations Office of the Humanitarian Coordinator in Iraq and the United Nations agencies and programmes concerned, to provide to the Security Council Committee all necessary information on priorities, interrelated and time-sensitive applications, the required delivery dates, potential dual-usage items and spare parts, and any additional information on applications with which the Committee may wish to be provided;

(c) In consultation with all concerned, to utilize the United Nations observers in Iraq in such a way as to provide the required assurances to the Security Council Committee that all supplies authorized for procurement, including potential dual-usage items and/or spare parts are indeed utilized for the purpose for which they have been authorized;

(d) To ensure, in full cooperation with the Chairman of the Security Council Committee and its secretariat, that approval letters by the Chairman of the Committee are transmitted, provided that funds are available, within one business day of the approval of an application by the Committee;

(e) To organize, with the participation of all concerned, briefings, as necessary, for all interested representatives of the permanent and observer missions to the United Nations, on the rules and procedures of the Security Council Committee and the understandings reached by the Committee, as well as on procedures on the preparation and submission of applications, and to provide any assistance required by them, as appropriate;

(f) To organize also on a regular basis informal briefings for members of the Security Council Committee informing them of the progress in the implementation of the programme as well as any difficulties that may be experienced in the process;

(g) To serve as a focal point for tracking and coordination of all activities regarding the preparation and approval of the distribution plan, revenue generation and allocation of funds, processing, circulation and approval of applications, processing of letters of credit, procurement, delivery, authentication and quality checks by the independent inspection agents at points of entry, as well as the distribution of supplies in Iraq. The Office will be supported, as appropriate, by a technical advisory team, to include, as necessary, experts from agencies and programmes of the United Nations system;

(h) To establish a comprehensive integrated information system in order to improve the timely provision to the Security Council and its Committee, all Member States and others concerned of authoritative information on the progress of each application through the whole process from contracting to distribution of humanitarian supplies in Iraq and on the implementation of the programme, with due caution being exercised in relation to proprietary commercial information;

(i) To review the reporting procedures and submit to the Security Council Committee for its consideration a revised format and calendar for submission of reports in order to streamline and improve the focus of reporting on the implementation of the programme and to contribute to the transparency of the operations;

(j) To enhance the capacity of the independent inspection agents to authenticate and provide quality control of the commodity flows expeditiously; to ensure that they report to the Office of the Iraq Programme and to the United Nations Office of the Humanitarian Coordinator in Iraq the authentication of the arrival of supplies within 24 hours; and to enhance their capacity to perform quality tests within the shortest period technically possible, as well as to perform quality tests inside Iraq;

(k) In full cooperation with the Department of Public Information, to develop centrally and to disseminate on a regular basis information on the objectives and progress in the implementation of the programme and its impact on the humanitarian situation in Iraq. Information should also be provided on the activities in Iraq of the agencies and programmes concerned;

(l) In full consultation with the United Nations Controller and all others concerned, to review options and make the necessary adjustments to the current procedure in order to expedite the reimbursements from the 13 per cent account to the 53 per cent account for expenditures involved for bulk purchases of food and medicine by the Government of Iraq for the governorates of Dahuk, Erbil and Sulaymaniyah in the north;

(m) Working closely with the United Nations Controller, to prepare a plan and identify the resources that will be required to complete the activities whose implementation will extend beyond the duration of the programme itself.

54. As mentioned above, I have directed the United Nations Treasurer, in consultation with all concerned, to address the concerns expressed regarding the difficulties experienced under the current banking arrangements, including the Government of Iraq, members of the Security Council Committee and the Banque nationale de Paris, with a view to resolving the difficulties encountered and concerns expressed, in particular with regard to the opening of letters of credit.

55. In order further to expedite activities related to banking arrangements, I should like to urge the Government of Iraq to deploy to New York a representative of the Central Bank of Iraq, at the appropriate level. Furthermore, in order to assure financial predictability, confidence and stability, which are fundamental to the efficient implementation of the programme, the Government is also urged to ensure the sale of oil at a steady rate throughout the period authorized by the Council.

56. Agencies and programmes of the United Nations are urged to submit their applications for procurement when most of the details of future contracts are worked out with their suppliers in order to avoid submission of amendments to their original applications.

57. I have been following with keen interest the review of its procedures undertaken by the Security Council Committee pursuant to paragraph 9 of resolution 1143 (1997). The Secretariat has been providing all necessary support in this regard and I look forward to the recommendations and decisions made by the Committee with a view to expediting the approval process.

58. The Committee may wish to consider the following measures in order to expedite the approval process and contribute further to the timely arrival of humanitarian supplies in Iraq:

(a) Subject to agreement on my recommendations concerning the format of the distribution plan and while retaining the current flexibility in the Committee's rules and procedures as well as understandings reached, the Committee may wish to consider using required delivery dates for prioritizing the consideration of applications;

(b) The Committee may wish to review annexes to the distribution plan(s) at the outset in order to identify as early as possible those items which could be subject to "holds" and those on which further information and end-use verification are likely to be required;

(c) To consider and approve applications even in advance of the availability of funds in the United Nations Iraq Account, on the understanding that approval letters will be released by the Secretariat only after confirmation by the Controller that sufficient funds are available in the account;

(d) In order to expedite the processing of applications placed on hold, the Committee may wish to reach an understanding that for items placed on hold, written and explicit explanations should be provided within 24 hours in order to enable the applicants to provide any additional information required;

(e) To be as flexible and pragmatic as possible in responding to unforeseen developments, such as epidemics or natural disasters, for example, the current screwworm epidemic threatening not only livestock in Iraq but in the neighbouring countries as well;

(f) With a view to expediting the approval of applications, the Committee may also wish to consider the possibility, within the context of its review at the outset of the distribution plan and its annexes, of delegating approval authority to the Secretariat, utilizing its technical experts, for items such as food and routine medicine and health supplies, subject to the provision that such applications are in full compliance with the approved distribution plan and its annexes, both in terms of quality and quantity, as well as subject to guidelines and points of understanding elaborated by the Committee.

59. It is recommended that the Security Council, bearing in mind that the preparation of a separate distribution plan for each phase has involved tremendous and time-consuming efforts by all concerned, contributing to unacceptable disruptions in programme implementation, consider granting authorization for the programme to be implemented on the basis of an ongoing distribution plan that could be amended as necessary.

60. The Council may also wish to appeal to all States to cooperate in the timely submission of applications to the Secretariat and the expeditious issuance of export licences, to facilitate the transit of humanitarian supplies authorized by the Security Council Committee and to take all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible.

B. Programme review

61. With regard to the electricity sector, I have already drawn the Security Council's attention to the extreme gravity of the situation and its accelerating decline with potentially disastrous consequences. This matter would require separate consideration by the Council. As regards the northern governorates of Dahuk, Erbil and Sulaymaniyah, I have given UNDP the task of undertaking, as a matter of the utmost urgency, a survey to outline a strategy and identify essential priority measures and their cost. Following that evaluation, in full consultation with the Government of Iraq, I intend to return to the Council with proposals for appropriate funding. With regard to the situation in central and southern Iraq, the rate of deterioration is believed to be as serious. I reiterate my serious concern as to the potential consequences of a breakdown of the network and its attendant humanitarian consequences. It is therefore, all the more important that this situation receive the full attention and combined expertise of both the Iraqi authorities and United Nations experts in order for priorities within the Government's strategy to be quickly determined and costed. This review should specify projects that need to be undertaken immediately, as well as those which can only be taken in the medium or longer term. I encourage the Government of Iraq to present an appropriate programme to the Council for funding upon completion of the evaluation.

62. Based on the results of the programme review, I also recommend that additional resources be targeted to support community childcare units, nutritional rehabilitation centres and primary health centres, which are already involved in treating severe to moderate malnutrition through growth monitoring, education of mothers, provision of therapeutic milk to children in the centres and supplementary food for the child and family. In particular, the community childcare system should be expanded with the establishment of a further 1,500 centres. I also recommend that supplementary food be provided for a minimum target population of 1,904,000, comprised of chronically malnourished children under five years of age, pregnant women or lactating mothers, internal displaced persons, returnees and hospital in-patients.

63. As previously indicated, subject to approval by the Security Council of additional funding, all of the recommendations will require detailed discussion with the Government of Iraq and local authority counterparts in order to clarify outstanding issues and to establish a clear agreement on priorities. Following this, the Government should present a detailed submission in line with the approach and format of the project proposals.

64. In the programme review, an effort was made to respond to the most immediate needs identified with regard to inadequate nutritional levels and shortages of medicine and medical supplies. Also, measures were identified to increase the efficiency of distribution systems and to halt the continuing deterioration in infrastructure in all sectors because of the direct and indirect impact on the health and nutritional status of the population. The review provided an opportunity to examine the results of nearly one year's observation in all sectors and to identify remedial measures, within the framework of resolution 986 (1995), which, in the opinion of United Nations agencies and programmes, ought to be taken in response to the manifest hardship experienced by the Iraqi population. As a result, the proposed sectoral projects reflect the magnitude of the problems faced today in Iraq. This has an inevitable financial implication, which is shown in the total allocation required to meet those humanitarian needs. The framework of paragraph 8 of resolution 986 (1995) has also necessarily been taken into account when reaching the total figure proposed. Although the amount proposed may be considered a very substantial addition to funds already authorized, it should be noted that it does not begin to address the major problems affecting the electricity sector throughout the country.

65. The scale of increased resources needed obviously raises questions concerning how this revenue target will be achieved. I am mindful that the programme review focused exclusively on the humanitarian requirements and therefore did not tie its recommendations to a notional oil-pumping capacity, which could not be verified. Subject to the Council's approval of the enhanced programme, discussions will commence with the Government of Iraq, both on the programme and on the modalities of raising the funds required over a 180-day period, which will be determined to a large extent by Iraq's capacity to produce and export oil. To make the most effective use of resources in the shortest possible time, the United Nations invites the Government of Iraq to discuss its envisaged strategy to redress the serious nutritional situation. We would expect those consultations to identify a balanced allocation of resources between the food basket, immediate targeted distribution to those most at risk

and enhanced food production. With respect to the other sectors where projects, though urgent, are not tied to regular distribution in the same way as the food and nutrition sector, the United Nations invites the Government of Iraq to come forward with an implementation time-frame that will explain the relative priority and expected completion dates of activities.

66. The programme review has sought to identify essential humanitarian requirements that have not been met to date and to ensure a more effective implementation of the distribution plan. The current level of funding authorized under resolution 986 (1995) provides for the sale of $2 billion worth of petroleum and petroleum products, of which $1.32 billion is available for the purchase of humanitarian goods. Since the start of implementation of resolution 986 (1995), it has become increasingly apparent that this sum is inadequate to prevent further deterioration in humanitarian conditions and cannot effect the improvement in the health and nutritional status of the Iraqi population the Council hoped for when it unanimously adopted the measure. Therefore, in the light of the detailed recommendations from the programme review, I am convinced that expanded assistance is urgently required to address the humanitarian situation in Iraq and that, within the framework of resolution 986 (1995), the provision of additional resources in a targeted manner is the most effective way of addressing those needs at the present time. Should the Council approve this recommendation, the level of additional resources - over and above the $1.32 billion provided under the current arrangements - required to meet the priority, interlinked proposals listed in annex II would amount to $2,115,570,590, of which $1,017,556,990 and $1,098,013,600 will be allocated, respectively, to recurrent and non-recurrent expenditures. Should the Council approve the recommendations, the total cost of the humanitarian programme undertaken under resolution 986 (1995) would be $3,550,792,276. This does not take into account the provisions of paragraph 8 of resolution 986 (1995), under which 30 per cent of the total proceeds are allowed for the Compensation Fund. Consequently, the application of paragraph 8 would require the production of an additional amount of $1,655,648,012 worth of oil, including $1,561,932,086 for the Compensation Fund, bringing the total to $5,206,440,288 (see annex I).

67. In conclusion, I should like to emphasize the following, as I did in my previous report. In implementing the programme to meet the humanitarian needs of the Iraqi people, we must remember the human dimension. I therefore urge the Security Council to bear this in mind in reviewing the observations and recommendations contained in the present report.

Annex I

Financial overview

(United States dollars)

Sector	Current distribution plan III[a] allocation	Additional allocation	Distribution plan III + additional allocation
Food/nutrition	916 010 000	618 801 990	
Health	210 000 000	566 760 000	
Agriculture	50 000 000	352 108 100	
Water and sanitation	44 170 000	321 000 000	
Education	27 000 000	140 220 500	
Resettlement	11 000 000	30 000 000	
Demining	1 000 000	10 180 000	
Electricity	61 500 000	76 500 000	
Total, 53 per cent + 13 per cent[b]	1 320 680 000	2 115 570 590	3 436 250 590
Total, 2.2 per cent[b]	44 022 667	70 519 020[c]	114 541 686[c]
Total humanitarian allocation	1 364 702 667	2 186 089 610	3 550 792 276
Revenue required to meet the total allocation in accordance with paragraph 8 of Security Council resolution 986 (1995)	2 001 030 303	3 205 409 985	5 206 440 288

[a] Distribution plan III was submitted by the Government of Iraq in accordance with Security Council resolution 986 (1995) and the memorandum of understanding and approved by the Secretary-General on 5 January 1998.

[b] The 53 per cent, 13 per cent and 2.2 per cent figures are in accordance with paragraph 8 of resolution 986 (1995).

[c] While the 2.2 per cent allocation stipulated in resolution 986 (1995) has been maintained for the purpose of the present annex, every effort will be made to minimize actual costs.

Annex II

Projects envisaged in addition to distribution plan III

Sector	Project outline	Estimated cost (United States dollars)
Food/nutrition	Food basket[a]	
	1. Enhancement of the resolution 986 (1995) food basket.	527 283 870
	Nutrition	
	2. Early identification and rehabilitation of malnourished children.	
	3. Supplementary feeding programme for those most at risk of malnutrition.	
	4. Emergency nutrition information system.	
	5. Laboratory equipment (3 northern governorates).	
	6. Nutrition information system (3 northern governorates)	
	Subtotal	91 518 120
	Total allocation	618 801 990
	Of which:	
	Recurrent costs	617 901 990
	Non-recurrent costs	900 000
	Estimated delivery time of goods: 4 months.	
	Estimated implementation time: 8 months.	
Health	1. Emergency provision of medicines and medical supplies.	
	2. Rehabilitation of the drug distribution system.	
	3. Rehabilitation of the primary health-care system.	
	4. Rehabilitation of secondary care hospitals.	
	5. Rehabilitation of tertiary care hospitals.	

Sector	Project outline	Estimated cost (United States dollars)
	6. Rehabilitation of primary health care (3 northern governorates).	
	Total allocation	566 760 000
	Of which:	
	Recurrent costs	117 320 000
	Non-recurrent costs	449 440 000
	Estimated delivery time of goods: 6-8 months.	
Agriculture	1. Emergency rehabilitation of the veterinary distribution cold chain.	
	2. Emergency performance enhancement of the State Veterinary Department.	
	3. Old World screwworm surveillance and control.	
	4. Livestock vaccination campaigns.	
	5. Brucellosis-tuberculosis surveillance and control.	
	6. Reactivation of small-scale broiler farm production.	
	7. Reactivation of large-scale table egg production.	
	8. Enhancement of small-scale rural vegetable production.	
	9. Enhancement of small-scale rural fruit production.	
	10. Rehabilitation of veterinary centres (3 northern governorates).	
	11. Rehabilitation of agricultural centres (3 northern governorates).	
	12. Revival of small-scale poultry production (3 northern governorates).	
	13. Reafforestation (3 northern governorates).	

Sector	Project outline	Estimated cost (United States dollars)
	14. Agricultural chemicals (3 northern governorates).	
	Total allocation	352 108 100
	Of which:	
	Recurrent costs	209 085 000
	Non-recurrent costs	143 023 100
	Estimated delivery time of goods: 2 weeks-4 months.	
	Lead time for availability of produce: 3-12 months.	
Water and sanitation	1. Enhancement of water- and sewage-treatment plants.	
	2. Enhancement of the water distribution and disposal network.	
	3. Provision of water-treatment chemicals for drinking-water security.	
	4. Overhaul of existing water and sanitation service vehicles.	
	5. Enhancement of the existing monitoring system.	
	6. Enhancement of sanitation systems (3 northern governorates).	
	Total allocation	321 000 000
	Of which:	
	Recurrent costs	16 000 000
	Non-recurrent costs	305 000 000
	Estimated delivery time of goods: 8 months.	
	Estimated implementation time: 4-12 months.	
Education	1. Emergency rehabilitation of schools.	
	2. Provision of classroom items.	
	3. Provision of essential supplies.	
	4. Rehabilitation of printing presses.	

Sector	Project outline	Estimated cost (United States dollars)
	5. Rehabilitation of schools (3 northern governorates).	
	6. Rehabilitation of childcare institutions (3 northern governorates).	
	7. Provision of educational supplies (3 northern governorates).	
	8. Rehabilitation of printing presses (3 northern governorates).	
	Total allocation	140 220 500
	Of which:	
	Recurrent costs	48 250 000
	Non-recurrent costs	91 970 500
	Estimated delivery time of goods: 3-6 months.	
	Estimated implementation time: 1 year.	
Resettlement	Shelter rehabilitation (3 northern governorates).	
	Total allocation	30 000 000
	Of which:	
	Non-recurrent costs	30 000 000
	Estimated delivery time and implementation period: 1 year.	
Demining	1. Mine clearance through rental of equipment (3 northern governorates).	
	2. Support to victims of landmines (3 northern governorates).	
	Total allocation	10 180 000
	Of which:	
	Recurrent costs	9 000 000
	Non-recurrent costs	1 180 000
	Estimated delivery time and implementation period: 1 year.	

Sector	Project outline	Estimated cost (United States dollars)
Electricity	1. **Structural repair of dams** (3 northern governorates).	
	2. **Rehabilitation of generating units** (3 northern governorates).	
	3. **Network capacity survey** (3 northern governorates).	
	Total allocation	76 500 000
	Of which:	
	Non-recurrent costs	76 500 000
	Estimated delivery time and implementation period: 1 year.	
	Total	2 115 570 590
	Of which:	
	Recurrent costs	1 017 656 990
	Non-recurrent costs	1 098 013 600

[a] **The total cost of the food basket envisaged would amount to $1,397,293,870 over a six-month period.**

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S/1998/91
30 January 1998

ORIGINAL: ENGLISH

NOTE VERBALE DATED 21 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF GHANA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Ghana to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to Security Council resolution 1132 (1997) of 8 October 1997 and the Secretary-General's note verbale of 16 October 1997, has the honour to inform him that the Government of the Republic of Ghana is taking appropriate measures for the full implementation of the sanctions regime against the military junta in Sierra Leone.

98-02060 (E) 020298

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/92
30 January 1998

ORIGINAL: ENGLISH

LETTER DATED 30 JANUARY 1998 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, pursuant to paragraph 9 of resolution 1143 (1997) of 4 December 1997, the report of the Security Council Committee established by resolution 661 (1990) of 6 August 1990 concerning the situation between Iraq and Kuwait on the refining and clarifying of its working procedures. The report was adopted by the Committee on 30 January 1998.

(Signed) António MONTEIRO
Chairman
Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

98-02054 (E) 300198

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Annex

Report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait pursuant to paragraph 9 of resolution 1143 (1997)

1. In paragraph 9 of its resolution 1143 (1997) of 4 December 1997, the Security Council requested the Committee established by resolution 661 (1990) of 6 August 1990 concerning the situation between Iraq and Kuwait to continue, in close coordination with the Secretary-General, to refine and clarify working procedures in order to expedite the approval process and to report to the Council no later than 30 January 1998.

2. Pursuant to paragraph 12 of resolution 986 (1995) of 14 April 1995, the Committee on 8 August 1996 adopted procedures to be employed by the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait in the discharge of its responsibilities as required by paragraph 12 of Security Council resolution 986 (1995).

3. In the course of its implementation of procedures during the past year, the Committee adopted further points of understanding with regard to the processing of humanitarian applications submitted under the oil-for-food programme.

4. With the adoption of Security Council resolution 1143 (1997) on 4 December 1997, the Committee started working on refining and clarifying its working procedures with a view to accelerating the approval process of applications to send humanitarian supplies to Iraq. Based on the Committee's existing procedures, including the points of understanding thus far adopted, the Committee has decided upon the following measures, which would contribute further to the expeditious processing and approval of applications as called for in paragraph 9 of resolution 1143 (1997):

(a) General suggestions

(i) Orientation sessions for all States and interested international organizations should continue to be organized by the Secretariat on a periodic basis when necessary so as to provide guidance and assistance for delegations in the submission of applications. These sessions should also include briefings on the following: (a) approval process of resolution 986 (1995)- and 661 (1990)-related applications; (b) approval process of letters of credits for contracts; and (c) the work of the Committee in general. An information kit of relevant documentation will also be provided by the Secretariat;

(ii) The Secretariat will continue to prepare and circulate to Committee members weekly reports on the status of applications (status list), which should include information on applications not yet circulated to the Committee as well as applications from United Nations agencies;

(iii) Required delivery date of goods that are time-sensitive (harvest season, new school year, etc.) should be clearly stated in the applications. In this regard, comments by experts in the Secretariat will also be made available to Committee members;

(b) Processing and approval of applications

(i) Unless the Committee decides otherwise on a case-by-case basis, the Secretariat will continue processing applications on a first-come, first-served basis. The same criteria apply to all applications on the question as to whether they meet the Committee's requirements for circulation. Applications could be prioritized as necessary. A list of priorities should be drawn based on (a) the current needs in the distribution plan; (b) the interrelated aspects of applications; and (c) the expected date of delivery of the supplies. Consideration should be given to the special humanitarian needs of children, pregnant women and nursing mothers, the elderly without economic or family support, displaced persons, the long-term unemployed and people with disabilities and so on, and to the development of urgent basic projects (drinking-water, hospital equipment, items that have a positive impact on the distribution process, etc.). Such priorities should be established by the Committee, in coordination with the Iraq Programme, following consultations with relevant United Nations agencies and the Iraqi authorities;

(ii) Without prejudice to the Committee's ability to decide otherwise, incomplete applications will not be circulated until clarification is obtained from the applicant State and the Permanent Mission of Iraq to the United Nations. The Secretariat will thus immediately notify both the permanent mission of the applicant State and the Permanent Mission of Iraq of the irregularities found in the documentation submitted;

(iii) In the same context, applications that are found to be inconsistent with the approved distribution plan and its amendments (for example, the items concerned are not on the categorized list annexed to the distribution plan or their quantities exceed those on the list) will not be circulated until the distribution plan is amended as necessary. The Secretariat will continue to advise the Government of Iraq on such cases as they occur, so that the latter may, if it so wish, submit necessary amendments to the distribution plan. Once the amendments are approved by the Secretary-General, they will be regarded as an integral part of the approved distribution plan;

(iv) The Secretariat should complete the processing of all applications submitted under the oil-for-food programme within two business days after they are received, provided that all relevant documents are enclosed and in order;

(v) Amendments made to such applications (contracts or purchase orders) should be manifested formally, that is, by a letter from the permanent mission of the applicant State to the Secretariat and the other party

or parties involved, with due regard to relevant commercial law and practice and Security Council resolutions;

(vi) The Committee is ready to consider applications on a project basis. Applications for the same project could be kept together during the screening and approval process, so that the full range of applications would serve as an explanatory background to a specific application. Experts within the Secretariat could, together with the Iraqi authorities, be given the task of exploring ways of grouping contracts together;

(vii) Funds allocated to applications that have been blocked will immediately be freed and used for processing further applications. Funds allocated to applications that have been placed on hold will be freed five working days after the date of the no-objection deadline and used for processing further applications. If holds are removed, or if blocked contracts are reinstated, the applications concerned will have immediate priority for the allocation of funds;

(viii) When a formal request is received from either party to declare an application null and void, the Secretariat will notify the other party and advise both parties that the application will be considered null and void after seven days, unless both parties confirm in writing that the application should be reinstated. The Secretariat, upon consultation with the parties concerned, may declare null and void an application during processing, before its circulation to the Committee, for purely technical reasons, for example, duplication. The Secretariat will inform the Committee of any contract that is declared null and void;

(ix) Applications will be screened and reviewed by the Secretariat immediately upon receipt, without regard to the actual existence of funds. The Secretariat should circulate all applications that meet the requirements of the Committee's procedures and are consistent with the distribution plan. If the Committee has no objection to a contract, the Secretariat informs the submitting permanent mission in writing that the contract is in order, that the exporter is eligible for payment from the United Nations Iraq Account and that the approval letter will be issued on the basis of the anticipated revenues as determined, by issuance of an irrevocable letter of credit for oil shipments and confirmation of the lifting of oil cargoes;

(x) When an application is put on hold or blocked, a detailed explanation of the specific reasons for this should be forwarded to the Secretariat in writing and a written notification, including the detailed explanation, should be issued within 24 hours by the Secretariat to the relevant permanent mission. Those explanations, notably those related to dual use or to other grounds pertaining to non-conformity with the distribution plan, should be reviewed by the Committee periodically in order to ascertain if any action could be taken to prevent similar situations;

(xi) Committee approval letters should include a reminder to the exporters of the need to execute the contract in the appropriate time-frame. A similar recommendation to all States engaged in the export of humanitarian goods to Iraq should be made in the form of a letter or a press release by the Chairman of the Committee;

(xii) The Committee may decide to authorize an increase to 180 days of the first extension of validity for approval letters, in addition to the initial 180-day validity period. Further extensions may be approved by the Committee on an exceptional basis. The Committee may also authorize an initial period of validity for approval letters exceeding 180 days, when acting upon the recommendation contained in the expert evaluation of the application, prepared prior to the Committee's consideration, provided that the applicant State/organization has established that the items to be exported to Iraq will require a lengthy production time;

(xiii) The Chairman, in coordination with the Secretariat, will expeditiously identify practical ways for the prompt issuance and signature of approval letters, taking into account the need to guard against tampering and forgery;

(c) During its deliberations, the Committee considered positively a number of other proposals, which, although not strictly within the terms defined by paragraph 9 of resolution 1143 (1997), the Committee believed would be of use to the Secretary-General in his review of the programme under resolution 986 (1995). These proposals are outlined below:

(i) Member States are encouraged to present applications to the Committee as soon as contracts are concluded;

(ii) The Iraqi authorities could inform the Office of the Iraq Programme as soon as contracts are signed;

(iii) A help officer could be appointed in the Secretariat to provide guidance for permanent missions and to help them in their work on the preparation and submission of applications;

(iv) The independent inspection agents (Lloyd's Register) should continue to inform the Secretary-General of their authentication of the arrival of goods within 24 hours, as provided for in paragraph 36 of the procedures. When necessary, quality tests should be completed within reasonable time limits;

(v) The Government of Iraq is invited to designate a senior banking official, within the framework of paragraph 13 of the memorandum of understanding, to undertake liaison with the Secretariat on all banking matters relating to the United Nations Iraq Account under the auspices of resolution 986 (1995). The Secretariat should keep the Committee informed of its consultations with the Iraqi banking official. The Committee should also have access to all records and statements relating to the United Nations Iraq Account;

(d) The Committee will continue to review its working procedures when necessary in the light of the implementation of the measures suggested, as well as to consider further means to improve the efficiency of the implementation of resolution 986 (1995) and subsequent resolutions related to it. Specifically, the Committee will take action on the following:

(i) The Committee will determine within 60 days the conditions under which it will delegate to the Secretariat the authority to approve, on behalf of the Committee, contracts concerning foodstuffs. Regarding medicines, the Committee will continue its work in this respect;

(ii) As an additional measure to enhance transparency in the work of the Committee, the Secretariat is requested to pursue the possibility of circulating the reports on the status of applications to all Committee members and other States, upon request, by electronic means and to report its findings to the Committee by 15 March 1998;

(iii) The Committee will continue to consider further measures, in cooperation with the Secretariat, to streamline all aspects of the procedures with regard to the opening of letters of credit by the Banque nationale de Paris, and invites the Secretariat to present a report to that effect by 15 March;

(iv) The Committee welcomes a review by the Secretariat, and possible recommendations, by 15 March, on the reimbursement of the 53 per cent account from the 13 per cent account for joint purchases.

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S/1998/93
2 February 1998
ENGLISH
ORIGINAL: RUSSIAN

NOTE VERBALE DATED 28 JANUARY 1998 FROM THE PERMANENT MISSION OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Russian Federation to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the Mission's note of 18 December 1997, has the honour to state that among the measures taken by the Russian Federation in implementation of the provisions set forth in paragraphs 5 and 6 of Security Council resolution 1132 (1997), the President of the Russian Federation, Mr. Boris Yeltsin, has signed a Decree on measures in implementation of United Nations Security Council resolution 1132 (1997) of 8 October 1997.

The Decree, applicable to all State institutions, industrial, trade, financial, transport and other enterprises, companies, banks, organizations and private individuals under the jurisdiction of the Russian Federation, prohibits the sale or supply to Sierra Leone, by nationals of the Russian Federation or from its territory, or using Russian means of transport, of petroleum and petroleum products and arms and related matériel of all types, including weapons and ammunition, military equipment, dual-use equipment and spare parts for them, regardless of their place of origin.

The Decree prohibits the entry into or transit through the territory of the Russian Federation of members of the military junta in Sierra Leone and adult members of their families, as designated in the list drawn up by the Security Committee established pursuant to Security Council resolution 1132 (1997). The federal organs of executive power have been directed to ensure the application of all these measures, bearing in mind that exceptions from them are permitted only with the approval of the Committee.

98-02177 (E) 030298 030298

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/94
3 February 1998

ORIGINAL: ENGLISH

LETTER DATED 27 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF ZIMBABWE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

At the request of Salim Ahmed Salim, Secretary-General of the Organization of African Unity, I have the honour to transmit the attached Addis Ababa Agreement on the Question of Comoros, to be circulated as a document of the Security Council.

(Signed) Machivenyika Tobias MUPURANGA
Ambassador
Permanent Representative of
Zimbabwe to the United Nations
Representative of the Organization
of African Unity Current Chairman

98-02672 (E) 030298

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Annex

Addis Ababa Agreement adopted at the International Conference on the Comoros, held in Addis Ababa from 10 to 13 December 1997

1. The Comorian parties (the Government, Anjouan, Moheli and Grande Comore, and the Opposition: Forum/Federation/PRC and National Union for Development/National Front for Justice) met in Addis Ababa within the framework of the International Conference on the Comoros, organized under the auspices of the Organization of African Unity (OAU) from 10 to 13 December 1997, with the participation of official observers, representing:

(a) The member States of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution (Zimbabwe, Cameroon, Burkina Faso);

(b) The countries of the region (Kenya, Madagascar, Mauritius, Mozambique, Seychelles, South Africa and the United Republic of Tanzania);

(c) The permanent members of the Security Council (China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America);

(d) the League of Arab States;

(e) The United Nations;

(f) The European Union.

2. The Comorian parties pondered the situation existing in their country, particularly the crisis in Anjouan and Moheli. In that regard, they deeply regretted the military actions carried out in the two islands of Anjouan and Moheli, as well as the loss of human lives, injuries and destruction of property. Consequently, they requested the establishment of an international commission of inquiry, which would be requested to identify the responsibilities, evaluate the damage caused on the two islands during the crisis and propose measures likely to enable the victims to obtain the necessary compensation.

3. The Comorian parties agreed to hold, as soon as possible, under the auspices of OAU and according to the format of the Addis Ababa International Conference, an Inter-Island Comorian Conference with a view to defining a new institutional framework meeting the legitimate aspirations of the Comorians. In this regard, the Comorian parties noted the firm position expressed by OAU, the United Nations, the League of Arab States and the European Union on the unity and territorial integrity of the Comoros.

4. The Comorian parties pledged to continue their dialogue with a view to establishing the conditions conducive to the convening of the proposed Conference.

5. The Comorian parties agreed to establish a commission in charge of implementing the Agreement, comprising the representatives of all the Comorian parties to the International Conference and chaired by OAU.

6. The Comorian parties took note with satisfaction of the decision of OAU, in cooperation with the international community, particularly the United Nations, the League of Arab States and the European Union, to convene a round table of donors with a view to mobilizing international assistance for the development of the Comoros. In the meantime, they appeal for urgent assistance to the Comoros.

Done in Addis Ababa, 13 December 1997, in the presence of the official observers.

For the delegation of
Ndzuwani (Anjouan):

Ali MOUMINE

For the delegation of
Mwali (Moheli):

Mohamed FAZUL

For the delegation of Ngazidja
(Grande Comore):

Ali Abdou EL ANIOU

For the delegation of
the Opposition
Forum/Federation/PRC:

Moustoifa Said CHEIKH
Mohamed Said MCHANGAMA

For the delegation of the
National Union for Development/
National Front for Justice:

Ahmed Elarif HAMIDI
Tolbrane HOUMADI

For the delegation of the Government:

Mouzaoir ABDALLAH

For the Organization of African Unity:

Ambassador Pierre L. YERE
Special Envoy of the Secretary-General
of OAU to the Comoros

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/95
3 February 1998

ORIGINAL: ENGLISH

LETTER DATED 2 FEBRUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to inform you that the Government of the Republic of the Sudan wishes to retain item 4 of paragraph 7 of the summary statement by the Secretary-General on matters of which the Security Council is seized and on the stage reached in their consideration (S/1998/44), entitled 'Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General (S/3963)", on the list of matters of which the Security Council is seized.

I would be grateful if you could have the present letter circulated as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

98-02281 (E) 030298

UNITED NATIONS **S**

Security Council

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S/1998/96
3 February 1998
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 2 FEBRUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued between 22 and 31 January 1998 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

Your intervention is requested with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

98-02311 (E) 030298 030298

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Annex

Violations of Iraq's airspace and damage caused, 22-31 January 1998

1. In the northern region 48 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Zakho, Irbil, Tall Afar, Baibo and Rawanduz.

2. In the southern region 870 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Artawi, Ushbayjah, Jalibah, Salman, Busayyah, Qurnah, Chabaish, Shinafiyah, Kut, Rumaythah, Habbariyah, Rahhaliyah, Basrah, Hayy, Shatrah, Amarah, Lasaf, Hamzah, Diwaniyah, Rifa'i, Nukhayb, Qal'at Salih, Maymunah, Taqtaqanah and Ali al-Sharqi.

3. Six violations were committed by TR-1 reconnaissance aircraft flying at altitudes of 20,000 metres and at speeds of 600 kilometres per hour.

4. At 1045, 1123 and 1315 hours on 19 January 1998, United States aircraft violated Iraqi airspace in the Umm Qasr area.

5. At 1300, 1435 and 1445 hours on 22 January 1998, United States aircraft violated Iraqi airspace in the Umm Qasr area.

6. At 1045, 1225 and 1345 hours on 24 January 1998, United States aircraft violated Iraqi airspace in the Umm Qasr area.

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NATIONS

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LETTER DATED 4 FEBRUARY 1998 FROM THE PRESIDENT OF GABON
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Since the establishment of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB), there has been a considerable improvement in the situation in the Central African Republic.

This is undoubtedly the result of the joint efforts by the Central African Republic and the African States which, with the logistic and financial support of France and the assistance of the United Nations Development Programme (UNDP), are participating in this important mission.

As you are aware, as from 15 April 1998, the composition of MISAB will change by reason of the withdrawal of France, and its logistic and financial resources will consequently be drastically reduced.

If nothing is done to deploy a United Nations peacekeeping operation, as recommended by the Secretary-General in his most recent report, it is to be feared that the political situation in the Central African Republic may once again become precarious.

Accordingly, in my capacity as Chairman of the International Mediation Committee on the Central African crisis and on behalf of the countries participating in the inter-African force to monitor the Bangui Agreements, it seems to me appropriate, in the short term, to request the Security Council to give favourable consideration to the need to extend the mandate of MISAB until 15 March 1998.

(Signed) El Hadj Omar BONGO

98-02386 (E) 040298 040298

UNITED
NATIONS

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4 February 1998

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NOTE VERBALE DATED 27 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the United States of America to the United Nations presents his compliments to the Secretary-General and has the honour to refer to paragraph 13 of Security Council resolution 1132 (1997) of 8 October 1997, by which Member States were requested to report to the Secretary-General on the steps they have taken to implement paragraphs 5 and 6 of the resolution.

Measures relating to paragraph 5

On 14 January 1998, President Clinton signed a proclamation suspending the entry into the United States, as immigrants and non-immigrants, of members of the military junta in Sierra Leone and adult members of their families.

Measures relating to paragraph 6

The United States Government will not grant export licences for any arms or other items and services on the US Munitions List destined for Sierra Leone. Moreover, the United States is in the process of implementing appropriate additional measures to prevent the sale or supply to Sierra Leone of petroleum, petroleum products, arms and related matériel by US persons or vessels or aircraft using the US flag.

98-02407 (E) 040298

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NATIONS

S

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NOTE VERBALE DATED 28 JANUARY 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations presents his compliments to the Secretary-General and with reference to Security Council resolution 1132 (1997) of 8 October 1997, concerning the situation in Sierra Leone, has the honour to inform him that the Islamic Republic of Iran has taken the necessary measures for implementation of the relevant provisions of the above-mentioned resolution.

The Permanent Mission of the Islamic Republic of Iran would like to draw attention to resolution 43/8-P(IS)(1997) adopted at the Eighth Summit of the Organization of the Islamic Conference (OIC), held at Tehran in December 1997, by which the OIC Heads of State or Government reaffirmed their support for Security Council resolution 1132 (1997).

98-02413 (E) 040298